

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CURRY, et al.,

Plaintiffs,

-v-

P&G AUDITORS AND CONSULTANTS, LLC, et al.,

Defendants.

CIVIL ACTION NO.: 1:20 Civ. 6985 (LTS) (SLC)  
1:21 Civ. 11017 (LTS) (SLC)

**SETTLEMENT APPROVAL ORDER**

CURRY, et al.,

Plaintiffs,

-v-

GRC SOLUTIONS, LLC and PGX, LLC,

Defendants.

**SARAH L. CAVE**, United States Magistrate Judge.

The parties in this wage-and-hour case under the Fair Labor Standards Act (“FLSA”) have consented to my jurisdiction under 28 U.S.C. 636(c) and Fed. R. Civ. P. 73 for purposes of reviewing their proposed settlement (the “Settlement”) (ECF No. 226), and have submitted a joint letter-motion in support of the Settlement (ECF No. 222 (the “Motion”)) attaching their settlement agreement (ECF No. 222-1 (the “Agreement”)) and supporting exhibits (ECF Nos. 222-1 – 222-8, 228-1 (the “Exhibits”)), for approval under Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).<sup>1</sup> Courts generally recognize a “strong presumption in favor of finding a settlement fair” in FLSA cases like this one, as courts are “not in as good a position as the parties

---

<sup>1</sup> At the Court’s direction (ECF No. 227), Plaintiffs submitted supplemental exhibits supporting the costs they incurred in this action. (ECF No. 228).

to determine the reasonableness of an FLSA settlement.” Souza v. 65 St. Marks Bistro, No. 15 Civ. 327 (JLC), 2015 WL 7271747, at \*4 (S.D.N.Y. Nov. 6, 2015) (citation omitted).

Having carefully reviewed the Motion, the Agreement, and the Exhibits, and having participated a conference in connection with the Settlement (ECF No. 217; ECF min. entry Dec. 22, 2022), the Court finds that all of the terms of the Settlement, including the allocation of attorneys’ fees and costs, appear to be fair and reasonable under the totality of the circumstances and in light of the factors enumerated in Wolinsky v. Scholastic Inc., 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012). Accordingly, the Court approves the Settlement.

Accordingly, it is hereby ORDERED as follows:

1. The Court adopts the terms of the Agreement and the Parties must abide by and carry out the terms of the Agreement.
2. Plaintiffs’ counsel’s attorneys’ fees and costs as set forth in the Motion are approved.
3. Rust Consulting is approved to perform the settlement administration duties set forth in the Agreement and is entitled to reasonable compensation and costs.
4. Notice of the Settlement to the Settlement Collective Members shall be in the form of the proposed Notice of Settlement Rights and Obligations to Opt-in Plaintiffs, attached as Exhibit D to the Agreement, and that the procedures and deadlines for the Settlement Collective Members to return claim forms or to submit a request to opt out of the Settlement are set forth in the Settlement Notice and the Claim Form, attached as Exhibit B to the Agreement, are approved.
5. All pending motions before the Court are terminated as moot.

6. Within three (3) business days of the completion of the predicate acts set forth in the Agreement, the Parties shall file stipulations of dismissal for the Court to review and so-order.
7. On the filing of the so-ordered stipulations of dismissal, these actions shall be dismissed with prejudice and without costs to any Party other than as provided for in the Agreement, except that the claims of any Settlement Collective Member who timely submits a request to opt out of the Settlement shall be dismissed without prejudice.
8. Without affecting the finality of this Order, the Court reserves continuing and exclusive jurisdiction over the Parties to the Agreement for the purposes of administering, supervising, construing, and enforcing the Agreement in accordance with its terms for the mutual benefit of the Parties.

The Clerk of Court is respectfully requested to close ECF No. 222 and mark it as “granted.”

All pending motions are terminated as moot.

Dated: New York, New York  
February 10, 2023

SO ORDERED.

  
\_\_\_\_\_  
**SARAH L. CAVE**  
**United States Magistrate Judge**